

REMARKS

Claims 1-13 stand cancelled and claims 14, 17-19 and 24 have been amended. No new matter is presented by virtue of the within amendments; support therefore can be found throughout the specification and in the original claims of the application. For instance, the amendments to claims 14 and 17-19 relate to correction of mere informalities. Additionally, support for the amendment to claim 24 appears on page 14, lines 27-32 of the present application.

Applicants also submit that these amendments may be properly entered at this time, i.e., after final rejection pursuant to 37 C.F.R. §1.116 because the amendments do not raise any new issues or require a new search and they reduce the issues for appeal. For instance, the claims as amended herein are within the scope of prior searches. It also is believed that the application is in condition for allowance. Accordingly, entry of the within amendments is earnestly solicited.

As an initial matter, Applicants appreciate the indication of allowable subject matter, i.e., that claim 20 is allowed and claims 14-18 and 21-23 would be allowable if amended to obviate certain informalities.

Referring now to the Office Action, claims 14 and 19 were objected to for their recitation of the term “if”. The Office Action takes the position that the noted term is not a positive recitation and suggests that the term --when-- be used in its place. The suggested amendment has been made in each of claims 14 and 19. Withdrawal of the objection is therefore requested.

Claims 17 and 18 were objected on the basis of lack of antecedent basis for the term “path”. Applicants have amended the noted claims to recite --electrical path-- in each instance, thus providing clear antecedent basis. In view thereof, withdrawal of the objection is requested.

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Claim 24 stands rejected under 35 U.S.C. §102(b) over Hung et al. (US Patent 6,018,257).

For the reasons already made of record, Applicants submit that the cited reference fails to teach or suggest the present invention in any manner sufficient to sustain the §102 rejection. However, in an effort to expedite allowance of the application, claim 24 has been amended to further define the features of the invention, thus clearly avoiding Hung et al. In particular, amended claim 24 recites that a well control is provided for controlling well voltages of the at least two first transistors dependent on the voltage at the circuit node. This feature alone distinguishes the present invention from the cited reference. Hung et al. only show a driver circuit where a fixed voltage is applied to the wells of the transistors.


Accordingly, the rejection is properly withdrawn. For example, see *In re Marshall*, 198 USPQ 344, 346 (CCPA 1978) ("[r]ejections under 35 U.S.C. §102 are proper only when the claimed subject matter is identically disclosed or described in the prior art.")

In view thereof, reconsideration and withdrawal of the §102 rejection are requested.

It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

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